REMARKS

In view of the following remarks, Applicant respectfully requests reconsideration and allowance of the subject application.

§103 Rejections

Claims 1-26, 33 and 37 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over US Patent No. 6,560,591 to Memmott et al. (hereinafter, "Memmott") in view of Admitted Prior (hereinafter, "APA") and further in view of "Using the Command-Line Utility" (hereinafter, "UT"). Applicant respectfully traverses the rejection.

Memmott teaches a system for managing data providers. A data requester 110 forwards a query to a data resolver 120, which chooses a priority list of data providers 130 from a set of lists based on the characteristic of the query. The data resolver 120 forwards a request to a data provider 130 in the list based on the query. The data resolver 120 receives data in response to the request and returns a response to the data requestor 110 based on the data. (col. 3, ln 7-62; col. 4, ln 1-21).

Applicant's claim 1 recites:

> A command line utility embodied in one or more computer-readable media, the command line utility comprising:
> an object model command schema to define a mapping between one or more commands and an object model target schema, the one or more commands generated by the command schema and configured to operate against the target schema through the command line utility.

Regarding claim 1, the Office asserts, at Page 2 of the Office Action, that Memmott teaches the invention substantially as claimed including: an "X utility",

an object model command schema, a mapping, one or more commands, and an object target schema. The Office asserts that Memmott's data resolver 120, data provider 130, selection task P120, and interface module 140, comprise an "X utility". However, these elements do not teach or suggest a "command line utility" as recited in applicant's claim 1. Memmott's data resolver 120 is an application that executes on a client to receive a query and choose a priority list from a list of data providers 130 based on the query characteristic. In one embodiment of Memmott, a data resolver may communicate with a data provider through an interface module 140. These elements of Memmott do not teach or suggest a "command line utility" as recited in applicant's claim 1.

The Office further asserts that Memmott teaches "an object model command schema" at col. 8, ln 41-55 and col. 7, ln 40-66. However, in col. 7, Memmott simply mentions that disk space is reported in units of bytes in the CIM distributed management scheme, while disk space is reported in units of kilobytes in the DMI scheme. This mere mention of the CIM distributed management scheme in Memmott cannot fairly be said to be "an object model command schema" as recited in Applicant's claim 1. At col. 8, Memmott further gives an example of a data provider which uses the CIM distributed management scheme as being the preferred data provider. This additional mention of the CIM distributed management scheme in Memmott cannot fairly be considered "an object model command schema". Nowhere, in fact, does Memmott teach or suggest "an object model command schema" as the Office asserts. Although CIM is a method for describing management information that relies on inheritance and other object-oriented features, Memmott's mere mention or use of CIM distributed management scheme in no way teaches or implies "an object model command

schema" as recited in Applicant's claim 1. Memmott does not teach or discuss any sort of "command schema", let alone "an object model command schema".

Furthermore, Applicant's claim 1 recites "an object model command schema to define a mapping between one or more commands and an object model target schema". The Office has not pointed to anything in Memmott or any other reference that teaches or suggests "an object model command schema to define a mapping". Memmott does not teach or suggest "an object model command schema to define a mapping", or that such a mapping is a "mapping between one or more commands and an object model target schema" as recited in Applicant's claim 1.

The Office asserts that Memmott teaches "a mapping" at col. 5, ln 47-60. However, as noted, Applicant's claim 1 recites "a mapping between one or more commands and an object model target schema". Memmott teaches a string that represents a mapping between a portion of a query and a data provider identifier. This is not the same as "a mapping between one or more commands and an object model target schema". Furthermore, as mentioned above, Memmott does not teach or suggest "an object model command schema to define a mapping" as recited in Applicant's claim 1. Because Memmott does not teach "an object model command schema" at all, it cannot fairly be said that Memmott teaches "an object model command schema to define a mapping". Thus, it also cannot fairly be said that Memmott teaches "an object model command schema to define a mapping between one or more commands and an object model target schema", as recited in Applicant's claim 1.

At Page 3 of the Office Action, the Office admits that Memmott does not teach that commands are generated by the command schema. However, the Office

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asserts that this is taught by Applicant's own APA (admitted prior art). Specifically, the Office points to page 3, ln 7-18, of APA and asserts that the phrase "made up of classes representing management applications" is the same as the claimed "one or more commands generated by the command schema", and that it would have been obvious to combine Memmott and APA because "APA's 'made up of classes' would provides [sic] access to management information on a single network machine, or a large number of machines all at once". Applicant first notes that at page 3, ln 7-18, there is merely a brief discussion of CIM schema. The APA mentions that companies can create extension schemas that are made up of classes representing managed objects. Creating extension schemas that are made up of classes representing managed objects is not the same as Applicant's claimed "one or more commands generated by the command schema", as the Office asserts. There is, in fact, no mention at all in APA about "one or more commands generated by the command schema".

A prima facie case of obviousness requires that the prior art reference (or references when combined) must teach or suggest all the claim limitations (MPEP 2142, 2143). However, it is clear from the above discussion, that various elements recited in Applicant's claim 1 are not taught or suggested by Memmott and APA, alone or in combination. Furthermore, the various elements discussed above and recited in Applicant's claim 1 are not taught or suggested by any other references relied upon by the Office. For at least the numerous reasons above showing that Memmott and APA, alone or in combination, fail to teach or suggest all the claim limitations of claim 1, a prima facie case of obviousness is not supported. Applicant therefore respectfully requests that the §103(a) rejection to claim 1 be removed.

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The Office next refers to UT ("Using the Command-Line Utility") for support. The Office cites UT only for its purported discussion of a "command line", and not for any suggestion of the various elements of Applicant's claim 1 discussed above. Accordingly, UT does not remedy the deficiencies of Memmott and APA noted above, and claim 1 is allowable over the combination of these three references.

Furthermore, regarding claim 1, the Office admits that Memmott and APA do not teach "X" as a command-line utility. The Office asserts, however, that UT teaches a command line at page 1, and that it would have been obvious to combine Memmott, APA and UT, "because UT's Command line would performs [sic] a transformation". Applicant notes, however, that UT merely discusses a command-line interface that performs an XSL transformation. UT does not teach anything about a command line utility as recited in Applicant's claim 1 which comprises:

> an object model command schema to define a mapping between one or more commands and an object model target schema, the one or more commands generated by the command schema and configured to operate against the target schema through the command line utility.

Furthermore, in addition to requiring that the prior art reference (or references when combined) teach or suggest all the claim limitations, a prima facie case of obviousness requires that there be some suggestion or motivation to modify a reference or to combine reference teachings (MPEP 2143). The teaching or suggestion to make the claimed combination must be found in the prior art, not in applicant's disclosure (MPEP 2143; In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)). The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art

also suggests the desirability of the combination (MPEP 2143.01; In re Mills, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990)).

Applicant respectfully submits that there is no suggestion or motivation to combine the teachings of Memmott and UT. As noted above, Memmott teaches a system for managing data providers, while UT teaches a command-line interface that performs an XSL transformation. But for the suggestion in Applicant's claim 1 of a command line utility, there would be no reason for one skilled in the art to combine the teachings of Memmott and UT. Applicant respectfully submits that such a combination of the teachings of Memmott and UT can only be made through the use of impermissible hindsight reconstruction with Applicant's claim as a guide. Such a combination is therefore improper.

For the additional reasons that UT does not teach anything about a command line utility as recited in Applicant's claim 1, and that the combination of the Memmott and UT references is improper and based on hindsight reconstruction, Applicant respectfully submits that a prima facie case of obviousness is not supported with regard to Applicant's claim 1. Applicant therefore respectfully requests that the §103(a) rejection to claim 1 be removed.

Claims 2-15 depend from claim 1 and therefore include the elements of claim 1. Therefore, claims 2-15 are allowable at least on the basis of this dependency, in addition to the further elements recited therein which are neither shown nor suggested by the cited references. Accordingly, Applicant respectfully requests that the 35 U.S.C. §103(a) rejection to claims 2-15 be removed.

Independent **claim 16** recites:

> An object model schema embodied in one or more computer-readable media, the object model schema comprising:

an alias class to define alias instances, each alias instance representing a command;

a verb class to define verb instances, each verb instance representing behavior available through an alias instance;

a parameter class to define parameters accepted by a verb instance;

a format class to define format instances, each format instance having a list of properties to be displayed through an alias instance;

a property class to define property instances, each property instance representing a property value from a property list;

a connection class to define connection instances, each connection instance representing connection parameters used by an alias instance to establish a connection to the target schema;

a qualifier class to define qualifier instances, each qualifier instance representing constraints on elements of an alias instance;

a localized string class to define localized string instances, each localized string instance representing a text localization for translating text into a localized language; and

a see-also association to associate an alias instance with other related alias instances.

On page 5 of the current Office Action, the Office rejects independent claim 16 for the same reasons it rejects claim 12. Furthermore, the Office rejects claim 12 for the same reasons it rejects claims 2-8. Regarding claim 2, the Office asserts that Memmott teaches an alias class at col. 5, ln 18-30 and col. 4, ln 40-60. However, Memmott merely discusses query characteristics that indicate different classes, e.g., class 1 and class 2. Nowhere does Memmott teach or suggest "an alias class to define alias instances, each alias instance representing a command" as recited in Applicant's claim 16. Thus, the rejection of claim 16 is not supported and should be removed.

Further regarding the rejection of claim 16, the Office asserts that with respect to claim 3, Memmott teaches a verb class, a format class, and a connection

class as a subclass at col. 5, ln 17-30 and col. 4 ln 40-60. However, the words "verb class", "format class", and "connection class" do not appear in any form throughout the entire text of Memmott. Furthermore, there is no discussion whatsoever in Memmott that teaches, suggests, or implies a "verb class", "format class", or a "connection class". As shown above, Applicant's claim 16 recites,

> a verb class to define verb instances, each verb instance representing behavior available through an alias instance;
> a format class to define format instances, each format instance having a list of properties to be displayed through an alias instance;
> a connection class to define connection instances, each connection instance representing connection parameters used by an alias instance to establish a connection to the target schema;

For the additional reasons that Memmott does not teach or suggest a "verb class to define verb instances, each . . . ", "format class to define format instances, each . . . ", or a "connection class to define connection instances, each . . . " as recited in Applicant's claim 16, the rejection of claim 16 is not supported and should be removed.

Further regarding the rejection of claim 16, the Office asserts that with respect to claim 4, Memmott teaches at col. 5, ln 18-30, a parameter class as a subclass with each instance of the parameter class representing parameters. However, claim 16 recites,

> a verb class to define verb instances, each verb instance representing behavior available through an alias instance;
> a parameter class to define parameters accepted by a verb instance;

As noted above, Memmott does not teach or suggest "a verb class to define verb instances". Thus, it cannot fairly be said that Memmott teaches "a parameter

class to define parameters accepted by a verb instance". Furthermore, the words "parameter class" do not appear in any form throughout the entire text of Memmott. Moreover, there is no discussion in Memmott that teaches, suggests, or implies a "parameter class to define parameters accepted by a verb instance". Accordingly, for the additional reason that Memmott does not teach or suggest a "parameter class" as recited in Applicant's claim 16, the rejection of claim 16 is not supported and should be removed.

Further regarding the rejection of claim 16, the Office asserts that with respect to claim 5, Memmott teaches at col. 5, ln 18-30, a property class as a subclass to the format class with each instance of the property class representing a property value. With respect to a property class, claim 16 recites,

> a format class to define format instances, each format instance having a list of properties to be displayed through an alias instance;
> a property class to define property instances, each property instance representing a property value from a property list;

First of all, there is no discussion or teaching in Memmott regarding a "format class to define format instances, each format instance having a list of properties to be displayed through an alias instance". Thus, it cannot fairly be said that Memmott teaches "a property class to define property instances, each property instance representing a property value from a property list". Furthermore, the words "property class", "property instances", "property list", "format class", etc., do not appear in any form throughout the entire text of Memmott. Moreover, there is no discussion whatsoever in Memmott that teaches, suggests, or implies anything about a "property class". Accordingly, for these additional reasons, the rejection of claim 16 is not supported and should be removed.

The very same arguments stated above regarding certain elements of claim 16, can be equally applied to the various other elements of claim 16. That is, Memmott does not teach, suggest, or imply anything regarding elements including "a qualifier class", "a localized string class", or "a see-also association".

For at least all the numerous reasons stated above, the rejection of claim 16 is not supported. Accordingly, Applicant respectfully requests that the rejection to claim 16 be removed.

Regarding independent **claim 17**, the Office rejects claim 17 for the same reasons it rejects claim 1. The elements of claim 17 parallel those discussed above with respect to claim 1. For example, claim 17 recites in part:

> a set of commands generated by an object model command schema to operate against an object model target schema, the command schema defining a mapping between the set of commands and the target schema; and
> an interface utility to facilitate implementation of individual commands within the set of commands.

Therefore, the reasoning stated herein above regarding the rejection of claim 1 is similarly applicable to the rejection of claim 17. For example, none of the cited references teaches or suggests "a set of commands generated by an object model command schema". The Office asserts, with respect to claim 1, that APA teaches commands generated by the command schema. However, as noted above, the APA merely provides a brief discussion of CIM schema and mentions that companies can create extension schemas that are made up of classes representing managed objects. Creating extension schemas that are made up of classes representing managed objects is not the same as "commands generated by an object model command schema". There is no mention at all in APA about

"commands generated by an object model command schema". Accordingly, for at least the various reasons stated above regarding claim 1, Applicant respectfully submits that a prima facie case of obviousness is not supported with respect to claim 17. Applicant therefore respectfully requests that the §103(a) rejection to claim 17 be removed.

Claims 18-23 depend from claim 17 and therefore include the elements of claim 17. Therefore, claims 18-23 are allowable at least on the basis of this dependency, in addition to the further elements recited therein which are neither shown nor suggested by the cited references. Accordingly, Applicant respectfully requests that the 35 U.S.C. §103(a) rejection to claims 18-23 be removed.

Regarding independent **claim 24**, the Office rejects claim 24 for the same reasons it rejects claims 1 and 12. Claim 24 recites the following:

> A management application embodied in one or more computer-readable media, the management application comprising:
> a first object model to control the configuration and behavior of the management application in operating against and managing a second object model.

Although the Office rejects claim 24 for the same reasons it rejects claims 1 and 12, in its rejection of claim 1 and 12, the Office does not point out anything in any of the cited references that teach or suggest the elements of claim 24. Furthermore, a thorough review of the cited references reveals that the references do not teach or suggest the elements of claim 24. Specifically, none of the cited references teaches or suggests at least "a first object model to control the configuration and behavior of the management application in operating against and managing a second object model" as recited in claim 24. Accordingly, the

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rejection of claim 24 cannot stand, and Applicant respectfully requests that the 35 U.S.C. §103(a) rejection to claim 24 be removed.

Claims 25-26 depend from claim 24 and therefore include the elements of claim 24. Therefore, claims 25-26 are allowable at least on the basis of this dependency, in addition to the further elements recited therein which are neither shown nor suggested by the cited references. Accordingly, Applicant respectfully requests that the 35 U.S.C. §103(a) rejection to claims 25-26 be removed.

Regarding independent claim 33, the Office rejects claim 33 for the same reasons it rejects claim 1. Claim 33 recites the following:

> A method of managing objects in a target schema comprising:
> providing a user interface;
> defining a command structure through an object-oriented command schema, the command schema including an alias class;
> instantiating an object of the alias class as an alias by receiving parameters of the alias class through the user interface, the alias representing a command which maps to an object in the target schema; and
> executing the command against the object in the target schema.

To the extent elements of claim 33 parallel elements recited in claim 1 (e.g., "defining a command structure through an object-oriented command schema, the command schema including an alias class"), arguments already presented above regarding the rejection of claim 1 apply similarly to the rejection of claim 33. For these reasons alone, claim 33 is allowable over the cited references and the rejection to claim 33 should be removed.

Furthermore, there is no teaching or suggestion in the cited references of the various additional elements of claim 33, including, "instantiating an object of the alias class as an alias by receiving parameters of the alias class through the

user interface", or "the alias representing a command which maps to an object in the target schema". The Office Action does not point to anything in the cited references which teaches or suggests these elements of claim 33. Further, Applicant is unable to find any teaching or suggestion of such elements in any of the cited references. Accordingly, for these additional reasons, claim 33 is allowable over the cited references and the rejection to claim 33 should be removed.

Claims 34-37 depend from claim 33 and therefore include the elements of claim 33. Therefore, claims 34-37 are allowable at least on the basis of this dependency, in addition to the further elements recited therein which are neither shown nor suggested by the cited references. Accordingly, Applicant respectfully requests that the 35 U.S.C. §103(a) rejection to claims 34-37 be removed.

The Office rejects **claims 27-32** under 35 U.S.C. §103(a) as allegedly being unpatentable over Memmott in view of Scumpu (Session 3: CIM Diagnostics Development Guidelines and Demo) (hereinafter, "Scumpu") and further in view of Steve (Network and System Management with XML) (hereinafter, "Steve"). Applicant respectfully traverses the rejection.

Claim 27 recites, in part, the following:

> receiving a command through a command line interface;
> fetching an alias for the command;
> interpreting the command based on the alias and the current operating environment of the command line interface;
> executing the command as one or more WMI API calls against a target namespace;
> receiving WMI data in XML form;
> applying an XSL style sheet format the WMI data; and
> presenting the WMI data through the command line interface.

Regarding **claim 27**, the Office asserts that Memmott teaches all the elements of claim 27 except the "WMI API". The Office points to Memmott at various locations in cols. 3, 4, 5, 6, 8, and 9. With regard to the element of claim 27 which recites "defining a command structure through an object-oriented command schema, the command schema including an alias class", however, Applicant has already shown above regarding claim 1, that Memmott does not teach or suggest that commands or a command structure are generated by an object-oriented command schema.

Furthermore, Memmott does not teach or suggest "fetching an alias for the command", where the "command" is received "through a command line interface", as generally recited in claim 27. The Office does not point to anything in Memmott or any other reference that teaches or suggests such elements. In addition, Memmott does not teach or suggest "interpreting the command based on the alias and the current operating environment of the command line interface", where the "command" is received "through a command line interface" and the "alias" is fetched "for the command". In addition, Memmott does not teach or suggest "executing the command as one or more WMI API calls against a target namespace", where the "command" is received "through a command line interface". In addition, Memmott does not teach or suggest "receiving WMI data in XML form", or "applying an XSL style sheet format the WMI data", or "presenting the WMI data through the command line interface", all as recited in Applicant's claim 27. The Office has not pointed to anything in Memmott or any other reference that teaches or suggests these elements as recited in claim 27.

The Office is invited to point to specific locations in Memmott or within any of the other cited references, where such elements of claim 27 are taught,

suggested, or implied in any way. Applicant respectfully submits that such teachings, suggestions, or implications, do not exist in any of the cited references. Accordingly, the rejection of claim 27 cannot stand, and Applicant respectfully requests that the rejection of claim 27 be removed.

Furthermore, regarding claim 27, the Office admits that Memmott does not teach "WMI API", and refers to Scumpu (pg 5, ln 7) for support of such teaching. Scumpu is a "slideshow" that provides a very general outline of CIM, that has clearly been prepared to guide a speaker through a speech. It is true that the Scumpu slideshow mentions "WMI API" on pg 5. Scumpu also illustrates "WMI API" on pg 3, as part of an overall WMI Architecture. However, Scumpu provides no information regarding "WMI API". In addition, Scumpu provides no teaching regarding "executing the command as one or more WMI API calls against a target namespace", where the "command" is received "through a command line interface" as is recited in Applicant's claim 27. Furthermore, Scumpu provides no teaching or suggestion regarding the various other elements of claim 27. For these additional reasons, Applicant respectfully submits that none of the cited references teach or suggest the elements of claim 27, and that the rejection of claim 27 therefore should be removed. Applicant respectfully requests that the rejection of claim 27 be withdrawn.

In addition, as noted above, a prima facie case of obviousness requires that there be some suggestion or motivation to modify a reference or to combine reference teachings (MPEP 2143). The teaching or suggestion to make the claimed combination must be found in the prior art, not in applicant's disclosure (MPEP 2143; In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)). The mere fact that references can be combined or modified does not render the

resultant combination obvious unless the prior art also suggests the desirability of the combination (MPEP 2143.01; In re Mills, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990)).

Applicant respectfully submits that there is no suggestion or motivation whatsoever to combine the teachings of Memmott and Scumpu. Scumpu is a slideshow which briefly covers "CIM Diagnostics Development Guidelines and Demo". There is nothing in Scumpu to suggest to one skilled in the art that the teachings of Memmott and Scumpu should be combined. Applicant respectfully submits that such a combination of the teachings of Memmott and Scumpu can only be made through the use of impermissible hindsight reconstruction with Applicant's claim as a guide. Such a combination is therefore improper.

For the additional reason that the combination of the Memmott and Scumpu references is improper and based on hindsight reconstruction, Applicant respectfully submits that a prima facie case of obviousness is not supported with regard to Applicant's claim 27. Applicant therefore respectfully requests that the §103(a) rejection to claim 27 be removed.

Furthermore, regarding claim 27, the Office admits that Memmott and Scumpu do not teach a "Y" command line applying an XSL style sheet. However, the Office refers to Steve for support and asserts that Steve teaches a command line and an XSL style sheet. Steve provides a very broad statement regarding "Network and Systems Management with XML". Included in Steve are general discussions of CIM and XML. Steve mentions on pg 4, ln 38 - pg 5, ln 8, that "A forthcoming new standard . . . is the Extensible Style Language (XSL)" and that "a command-line interface could be displayed as a style-sheet-defined view . . . expressed with XML". However, claim 27 recites "fetching an alias for the

command", where the "command" is received "through a command line interface". Such elements are not taught or suggested by Steve, and as noted above, are also not taught or suggested by the other cited references. Claim 27 further recites, "interpreting the command based on the alias and the current operating environment of the command line interface", where the "command" is received "through a command line interface" and the "alias" is fetched "for the command". Claim 27 also recites, "executing the command as one or more WMI API calls against a target namespace", where the "command" is received "through a command line interface". For these additional reasons, Applicant respectfully submits that a prima facie case of obviousness is not supported with regard to Applicant's claim 27, and respectfully requests that the §103(a) rejection to claim 27 be removed.

Claims 28-32 depend from claim 27 and therefore include the elements of claim 27. Therefore, claims 28-32 are allowable at least on the basis of this dependency, in addition to the further elements recited therein which are neither shown nor suggested by the cited references. Accordingly, Applicant respectfully requests that the 35 U.S.C. §103(a) rejection to claims 28-32 be removed.

Conclusion

All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the subject application. If any issues remain that prevent issuance of this application, the Examiner is urged to contact the undersigned attorney before issuing a subsequent Action.

Respectfully Submitted,

Dated: 6/30/04   By: _____

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